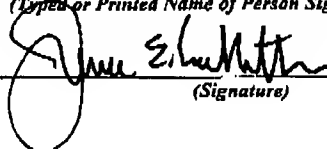


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|---|----------------------------------|----------------------|-----------------------------------|--|
| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Naoyasu MIYAGAWA et al. | | | Docket No. JEL28567RE-C | |
| Serial No. 09/609,829 | Filing Date November 22, 1999 | Examiner N. Hindi | Group Art Unit 2655 | |
| Invention: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL DISKS WITH VARIOUS DISK SUBSTRATE THICKNESS | | | | |
| <div style="text-align: right;">Attention Special Application - Subject to Expedited Processing</div> <p>I hereby certify that this _____ <u>Petition and Request for Extension of Time</u> _____ (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-308-5401</u>)</p> <p>on <u>July 21, 2003</u> (Date)</p> <div style="text-align: center;"><p>James E. Ledbetter, Reg. No. 28,732 (Typed or Printed Name of Person Signing Certificate)</p><p>(Signature)</p></div> <p>Note: Each paper must have its own certificate of mailing.</p> <div style="text-align: right;">RECEIVED JUL 21 2003 Special Program Unit Group 2700</div> | | | | |

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JUL 21 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Special Program Unit
Group 2700

In re the Application

Inventors: Naoyasu MIYAGAWA, et al. Art Unit 2655
Appln. No.: 09/609,829 Examiner N. Hindi
Filed: November 22, 1999

For: OPTICAL RECORDING/REPRODUCING APPARATUS FOR OPTICAL
DISKS WITH VARIOUS DISK SUBSTRATE THICKNESS

Attention
Special Application -
Subject to Expedited
Processing

PETITION AND REQUEST FOR EXTENSION OF TIME
UNDER 37 CFR 1.136(b) AND MPEP 1002.02(c) (8)

A Reply Brief and Request for Oral Hearing are due in this
reissue application on July 23, 2003.

Applicants respectfully petition for and request a one-month
extension of time to file a Reply Brief and Request for Oral
Hearing in this application based on good cause pursuant to 37
CFR 1.136(b).

The reasons for this Request are:

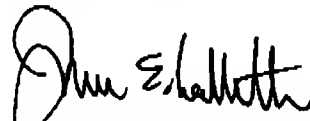
- (1) this application is subject to a recapture rejection,
- (2) a recent precedential Board decision in *Ex parte Eggert et al.*, Appeal No. 2001-0790, Application No. 09/110,145, decided May 29, 2003 and made available to the public on June 30, 2003, is pertinent to the recapture issues in this application, and
- (3) additional time is needed in order to evaluate the decision in *Ex parte Eggert et al.* and develop arguments in Appellants' Reply Brief in this application, taking into account

this recent decision.

Accordingly, a one-month extension of time to August 23, 2003 is respectfully requested.

If any fee is due, the fee may be charged to deposit account no. 19-4375.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: July 21, 2003

JEL/att

ATTORNEY DOCKET NO. JEL 28567RE-C

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